

E1-753

March 18, 2004

Mr. Troy Brady
Environmental Protection Specialist II
Section of Environmental Analysis
Surface Transportation Board
Washington, D.C. 20423

Re: The Enola Branch Line

Dear Mr. Brady:

This letter will respond to your questions concerning Amtrak's continuing rights to and need for access to the right-of-way running along the Enola Branch Low Grade Line located in Lancaster and Chester Counties, Pennsylvania. The information contained in this letter is provided to you in connection with the Railroad Abandonment proceeding (AB 167 1095x) remanded to your office from the United States Court of Appeal for the Third Circuit.

1. Description of the Enola Branch Line and Amtrak's Rights Thereto.

The Enola Branch Low Grade Line, known at one time as the Susquehanna (A & S) Branch, lies generally within Lancaster County and partly within West Sadsbury Township, Chester County. Descriptions of the line within Lancaster and Chester Counties, as attached to the Deed between Conrail and Amtrak, read as follows:

Situated in the county of Lancaster, Commonwealth of Pennsylvania, and being the Penn Central Transportation Company's line of railroad known as the Susquehanna (A & S) Branch, and being all the real property in the county lying in, under, above, along, contiguous to, adjacent to or connecting to such line.

Such line enters the county near Sadsbury, passes through Quarryville, and Columbia, and leaves the County near the Susquehanna River Crossing (Shocks Bridge) in Conoy.

The line of railroad described herein is identified as Line Code 1323 in the records of the United States Railway Association.

Situated in the County of Chester, Commonwealth of Pennsylvania, and being the Penn Central Transportation Company's line of railroad known as the Susquehanna (A & S) branch and being all the real property in the County lying in, under, above, along, contiguous to, adjacent to or connecting to such line.

Such line originates in the County near West Bridge Street in Parkesburg,

connecting to another line of railroad known as the Penn Central Philadelphia to Pittsburgh main Line, and leaves the County in West Sadsbury.

The line of railroad described herein is identified as Line codes 1123 and 1323 in the records of the United States Railway Association.

While rail service on the line has been discontinued, and rails and ties have been removed, Amtrak retains a right-of-way on this line as part of its power distribution grid in the region. Under the deed from Conrail, Amtrak has retained certain rights in the Conrail right-of-way, including an easement and rights relating to electric power transmission facilities, defined as follows:

“The easements and rights to use, operate, maintain, repair, renew, replace and remove on, under, over and across the real property conveyed to Grantor pursuant to the [RRR] Act but not conveyed to Grantee hereby . . . any and all lines, poles, pipes, appliances, equipment, structures, facilities and appurtenances existing on and used or useful as of [October 20, 1978] as part of . . . any electric . . . or other utility system, together with the easement of reasonable access over the [right-of-way] to permit the exercise of the forgoing easements and rights”

2. Amtrak's Power Lines Along the Right-of-Way.

Amtrak's facilities on the Enola Branch Line consist of metal poles on Conrail's right of way supporting two 138 kv above-ground electric transmission lines, with a static or ground wire at the top, running from Safe Harbor to Parkesburg. Amtrak no longer uses the catenary facilities; in fact, Conrail removed the catenary and the substations on the Enola Branch line many years ago. There are no underground power lines. Amtrak continues to require the two 138 kv transmission lines, as there is no other way to get electricity from Safe Harbor. It is a very important link that Amtrak relies on heavily when electrical problems occur.

The height of the power lines varies along the Enola Branch, depending upon the surrounding physical characteristics. In general, the poles are sixty (60) to eighty (80) feet high, with some taller poles located at overhead highway bridges crossing the old rail lines or other locations as required. The energized conductors for Amtrak's two transmission circuits normally run at least thirty-five (35) feet or higher above the old railroad bed. However, there are several rock cuts and areas where the track bed sits in a ravine and the rock outcroppings there are only eight (8) to ten (10) feet away from the conductors.

Amtrak's maintenance of these power lines entails cutting trees and making any necessary repairs following a storm. Insulators shot out by trespassers along the right-of-way must also be replaced periodically. Amtrak monitors damage to the lines, making repairs as necessary.

3. Suitability and Safety of the Right-of-Way for Public Use.

The existence and maintenance of Amtrak's above-ground power lines along the former Enola Branch Line should not be incompatible with public use of the right-of-way underneath for hiking trails, constructed of macadam or stone, so long as no one attempts to climb the power poles. Of course, Amtrak must retain a right of access to service the power poles and lines, to cut trees and make repairs as necessitated by weather damage or vandalism.

Currently, there are no barriers to prevent trespassers from shimmying up the power poles. Although wires at most locations are extremely high above the ground, it would be wise to consider the installation of barriers where rock outcroppings make access easier, as described above. At the very least, the poles will need to be resigned with appropriately visible warning signs reading: "Danger, High Voltage". In addition, any climbing rungs would need to be removed from the power poles. The costs of such safety measures should be taken into account by the state and/or local authority seeking to prepare the right-of-way for public use in their budgeting for the project.

I believe this letter provides all of the information you requested. Should you have further questions or desires additional information please feel free to contact me.

Sincerely,

Peter D. Cohen
Director, Government Affairs
Amtrak